

## New York Store

Established 1853.

Tuscan  
Dimities  
At Half Price

There are just 50 pieces in all. Some are pretty Dresden effects, others are the neatest of stripes in catchy colorings—12½¢ is the usual price—your choice at

61-4c a yard

Center Bargain Table.

Pettis Dry Goods Co.

A. E. BUCHANAN,

DENTIST.

32 and 33 When Block. Opp. Postoffice.

Moved from

Deafness Hotel

to Pennsylvania

and Market Sts.

opposite P. O.

over Pomeroy's

Drug Store.

COUGHLIN &amp; WILSON.

LAST OF THE FEE CASES.

Oral Argument Before Supreme Court

Full Bench.

Yesterday morning the case of Louis H.

Legler, treasurer, against John G. Paine et

al., commissioners of Vanderburgh coun

ty, was heard on oral argument by the

bench of the Supreme Court. The case of

the county officers interested was argued

by ex-Attorney-General W. H. Miller

and Thomas Z. Marshall, of Columbia City,

while Attorney-General Ketchum argued

to sustain the law. This is probably the

last of the fee and salary cases that will come

before the Supreme Court.

Mr. Miller opened the argument for the

appellant, Legler. His talk was of a gen

eral nature and he argued that the sim

ple fact that the man was a county of

ficer should not be held as prima facie

evidence that he was an enemy of the

public. He was entitled to fair treatment

just the same as any other citizen and should

not be required to work for insufficient

compensation by the public any more than

by private concern.

Mr. Ketchum closed that from the pas

sage of the act the county officers of the

State had used every means in their power

to break it down and were continually

holding out their hands for more and more.

Mr. Marshall, in closing the argument,

pointed out a number of specific incidents

in which the present law had worked great

injustice and hardship. The point upon

which the law is attacked is that it re

quires the treasurers and auditors to

make their salaries out of the fees of their

office.

Two Young Thieves.

Tony Catalini and Charles Dingus, small

boys, were in the Criminal Court yesterday.

They were held for grand jury action in

Police Court on larceny charges. Their

presence before the court was to have them

committed to the Reformatory for Boys

as incorrigibles. The youngsters have be

come chronic thieves and only lately re

turned from a tramp to the Atlantic coast.

Their families are respectable and neither

of the boys is over fourteen years old.

Argument in School Fund Case.

The oral litigation between the School

Board and the trustee of Center township

over the dog tax fund was argued before

Special Judge Carter in the Superior Court

yesterday. Trustee MacKeague declines to

submit the judgment rendered by the board

on the ground that his predecessor had

funds in good faith in the management of

the township school.

Mistake Book Case.

William Lawhorn, whose father is a re

sponsible merchant living near Lebanon,

Ind., is on trial in the Criminal Court on a

charge of stealing two mileage books from

Dr. S. Mettler, in whose employ he was for

several months. The evidence which he re

sumed this morning.

Probate Matters.

The will of Catherine Steck was admit

ted to probate yesterday. She bequeathed

her property to her husband and her two

children in equal shares. Dr. F. Markley

qualified as executor, filing bond for \$2,500.

Margaret Sherer qualified as administra

trix of the estate of W. H. Sherer. Bond,

\$100.

The Same Old Plait.

Edna Freedland has sued for divorce from

John Freedland, alleging cruelty and failure

to provide. She also asks the custody of

their child.

THE COURT RECORD.

Supreme Court.

1885. Roach vs. Baker. Elkhart C. C. Mot

ton to dismiss. 2. Where two separate writs of

assistance are issued against a person to

place him out of possession of land, there

being no connection between the

causes, each will require a separate ap

peal. 3. Hummel vs. Cline. Petition for

C. Petition for rehearing overruled. How

ard, J.—The statute, in civil cases, permits

the reading to the jury of the instructions

prepared by the court before by agreement,

but does allow the counsel to comment upon

the law given by the court. 4. In all ac

tions the court may order depositions to be

taken whenever it is necessary to do so.

5. The rights of the parties, 3. The

right to be present at the taking of a

deposition may be waived in open court.

Appellate Court.

1885. Indianapolis Gas Company vs. Pe

ters. Hamilton C. C. Reversed. Ross, J.—

When it is provided in a lease of land

that rent shall be payable as long as oil

or gas is found upon the premises, said

rent to commence when a meter is first

transported off said premises and sold,

the liability for rent will cease when the

wells are disconnected from the main line

and no more gas allowed to escape there

from.

1887. F. W. L. &amp; C. Railroad Company vs.

Haberhorn. Allen C. C. Reversed. Gav

in, J.—The patent law does not make

patents on machinery, and unless an in

vention permits a company to manufac

ture and use them, such a patent will be

sufficient to create a license; but the cir

cumstances may be such that there will be

an implied agreement for the use of the

same. 2. When the patentee sues to

recover for the use of his appliances from

a licensee, the measure of recovery will

not be the worth or value of the appliances,

but the value of the appliances generally.

3. If a licensee acquires the right to use

patented appliances with the consent of

the patentee with the purpose of mak

ing the patent profitable to the owner,

the latter cannot require the licensee to

render an account for all the benefits de

rived from the use of appliances while in

his use.

1892. Supreme Lodge vs. Sauerwine. Clay

C. C. Affirmed. Reinhard, J.—When a

person is a member of the endowment

rank of the Supreme Lodge of Knights

of Pythias, and is eligible to be trans

ferred from one class to another in the

endowment rank and has done all that is

required of him in order that he may be

transferred, he cannot be rejected on ac

count of his age, and a rejection on ac

count of age will be null and void and the

applicant will be entitled to the endow

ment rank notwithstanding the re

jection having been made.

1892. H. C. Madison C. C. Affirmed.

Davis, C. J.—The mere fact that a

legatee was mistaken in her legal

rights and thereby caused expense to

the estate will not excuse an administrator

from withholding her part of the legacy.

2. A tender by the administrator of the

due will not be an excuse for not paying

the same when the creditor was mistaken as to the amount due. 3. The fact that an heir and legatee was mistaken in the amount due her from a decedent's mistake will not deprive her of the amount due under the will, although the legatee had been tendered by the administrator.

1851. Union Railway Company vs. New

backer. Marion C. C. Appellant's petition

for a rehearing.

Superior Court.

Room 1—Village Court, Judge Pro Tem.

State ex rel. Chas. H. Adams vs. Center

School Township. On trial by court.

Room 2—Hon. Lawson M. Harvey, Judge.

Sarah E. Teemyer vs. Andrew Teemyer.

Divorce. Dismissed. Judgment against

plaintiff for costs.

John M. Schurman vs. Chas. C. Will

iams. Account. Dismissed at plaintiff's

costs.

John M. Foreman vs. H. W. Hart et al.

To set aside conveyance. Dismissed at

plaintiff's cost.

Casus B. National Bank vs. Walker &

Cowan Company. Notes. Dismissed at

plaintiff's cost.

John M. Foreman vs. Fannie B. Schaefer

et al. Dismissed at plaintiff's cost.

Serpeia Shier vs. Wm. Shier; divorce.

Dismissed at plaintiff's cost.

Chas. A. Shier vs. Chas. Shier; attach

ment. Attachment proceeding against

judgment against defendant for \$125.24

and costs.

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## PUSHING THE LEADERS

DETROIT ONLY ONE GAME AHEAD

OF THE CHAMPIONS.

Win To-Day and the Leaders Lose

and the Hoosiers Will Be on the

Top Run of the Ladder.

Indianapolis .12-Columbus..... 5

Grand Rapids .8-Detroit..... 6

Milwaukee..... 3-St. Paul..... 6

Minneapolis .13-Kansas City..... 1

To-day's Western League Games.

Columbus at Indianapolis.

Detroit at Grand Rapids.

Milwaukee at St. Paul.

Minneapolis at Kansas City.

Standing of the Clubs.

Detroit..... 25 14 141

Indianapolis..... 23 14 137

Columbus..... 22 14 137

Grand Rapids..... 21 14 137

Milwaukee..... 20 14 137

St. Paul..... 19 14 137

Minneapolis..... 18 14 137

Columbus..... 17 14 137

Grand Rapids..... 16 14 137

Columbus..... 15 14 137

Grand Rapids..... 14 14 137

Columbus..... 13 14 137

Grand Rapids..... 12 14 137

Columbus..... 11 14 13